

March 14, 2025

Via ECF

Hon. Arun Subramanian, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

Re: Dr. Yolande Saab v. Lebanese American University, et al.
Docket No. 1:25-cv-692 (AS)

Joint Letter Pursuant to the Court's Order dated March 12, 2025

Dear Judge Subramanian:

Pursuant to Your Honor's Order dated March 12, 2025, the parties jointly write to update Your Honor on the status of their efforts to meet and confer on the possibility of streamlining the case and resolving any potential service issues.

Plaintiffs, Dr. Yolande Saab ("Dr. Saab"), and George Barbatsuly, counsel for Lebanese American University ("LAU") and Dr. Michel Mawad, Dr. George Nasr, Ms. Nour Hajjar (the "Individual Defendants", and collectively with LAU, the "Defendants") met and conferred by remote means on Monday February 24, 2025, and Friday, March 14, 2025, and by email. During their conversations, Dr. Saab informed Mr. Barbatsuly that she would continue to pursue her claims in this lawsuit against the Individual Defendants together with LAU, as they each hold personal responsibility for the retaliatory actions and decisions that are at the heart of this case in Dr. Saab's opinion.

Dr. Saab advised Mr. Barbatsuly that she would be sending Mr. Barbatsuly copies of Notices of a Lawsuit and Request to Waive Service of a Summons pursuant to Fed. R. Civ. P. 4(d) ("Rule 4(d) Waiver Requests") as to LAU and all three Individual Defendants. During this conversation, Mr. Barbatsuly stated that he anticipated being able to waive service under Rule 4(d) on behalf of LAU. However, he was unsure of whether he would be authorized to waive service on behalf of the Individual Defendants, all of whom reside and work in Lebanon. Dr. Saab advised that if the Individual Defendants did not promptly waive service under Rule 4(d), she would plan to effectuate service of process upon the Individual Defendants in accordance with the laws of Lebanon.

Dr. Saab emailed Mr. Barbatsuly copies of Rule 4(d) Waiver Requests as to LAU and all three Individual Defendants on February 24, 2025. By follow-up email dated March 3, 2025, Dr. Saab informed Mr. Barbatsuly that if she did not hear from Mr. Barbatsuly by March 4, 2025 - consistent with the Court's expectation for both parties to act promptly to avoid unnecessary delay- about whether Defendants would be waiving service under Rule 4(d), she would proceed with formal service of process. Dr. Saab effectuated personal service upon LAU at LAU's offices located in



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New York City on March 11, 2025, demonstrating her good faith efforts to comply promptly with service requirements and avoid unnecessary delay.

The parties agree that this was valid service of process upon LAU and that such service of process renders moot the Rule 4(d) Waiver Request to LAU that Dr. Saab had previously emailed Mr. Barbatsuly on February 24, 2025. Pursuant to Fed. R. Civ. P. 12(a)(1)(A), LAU's responsive pleading is due on April 1, 2025. LAU intends to serve its pre-answer motion to dismiss the Complaint on or before that date. Dr. Saab respectfully maintains that this Court is the proper jurisdiction to hear this case, given LAU's operations, funding, and governance ties to the United States. Defendants respectfully disagree and will address this issue in their pre-answer motion.

The Individual Defendants continue to evaluate their options under the laws of Lebanon with respect to the Rule 4(d) Waiver Requests directed to them. Since all three Individual Defendants reside and work in Lebanon, which is outside of any judicial district in the United States, they have until April 25, 2025 (60 days after delivery of the Rule 4(d) Waiver Requests) in which to waive service, pursuant to Fed. R. Civ. P. 4(d)(1)(F). The Individual Defendants intend to notify Dr. Saab as to their position on waiver of service on or before that date. Meanwhile, Dr. Saab has begun steps to effectuate formal service of process upon the Individual Defendants in Lebanon, which may moot the Rule 4(d) Waiver Requests directed to them if service is complete under the Laws of Lebanon prior to April 25. Dr. Saab reserves her right to raise any concerns regarding the timeliness or validity of service as may be appropriate in future proceedings.

The parties stand ready to answer any additional questions the Court may have. We thank Your Honor for your continued courtesies and attention to this matter.

Respectfully submitted,

/s/ _____

Dr. Yolande Saab
Plaintiff, pro se



/s/ George P. Barbatsuly

George P. Barbatsuly

K&L Gates LLP
One Newark Center, 10th Floor
Newark, NJ 07102
Attorneys for Defendants